

46 Am. Jur. 2d Judges § 157

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Judges

Glenda K. Harnad, J.D.; and Kristina E. Music Biro, J.D., of the staff of the National Legal Research Group, Inc.

IX. Disqualification to Act in Particular Case

B. Grounds for Disqualification

5. Prior Participation in, Connection with, or Knowledge of the Case or Parties as Grounds for Disqualification

c. Prior Participation in or Connection with Case as Attorney as Grounds for Disqualification

§ 157. Disqualification of judge who served as attorney in same or similar proceeding

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  47(1), 47(2)

A judge is disqualified if the judge represented a party to an action before the judge in the same action,¹ or in another action where the second cause of action is, in effect, identical to the first.² A judge is disqualified where the judge has represented the defendant in the settlement of a controversy involving the same subject matter as that in the present suit, particularly where the validity and correctness of the settlement are challenged in the suit.³

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Footnotes

- 1 Dolsons, Inc., v. Sheridan Stove Mfg. Co., 178 S.W. 663 (Tex. Civ. App. Galveston 1915).
- 2 State v. Perkins, 124 La. 947, 50 So. 805 (1909); People ex rel. Kennedy v. Gill, 147 A.D. 924, 131 N.Y.S. 902 (3d Dep't 1911); State v. Dick, 125 Wis. 51, 103 N.W. 229 (1905).
- 3 Murray County v. Pickering, 195 Ga. 182, 23 S.E.2d 436 (1942).

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